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Presentment Date: March 5, 2018
Time: 12:00 p.m.
Objections Due: February 28, 2018
Time: 11:30 a.m.

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff,

Plaintiff,

v.

UBS AG, *et al.*

Defendants.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05311 (SMB)

**NOTICE OF PRESENTMENT OF APPLICATION
FOR ISSUANCE OF LETTERS OF REQUEST**

PLEASE TAKE NOTICE that pursuant to this Court’s inherent authority; 28 U.S.C. § 1781(b)(2); the Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters (the “Hague Evidence Convention” or “Convention”),¹ to which the United States and Luxembourg are signatories; in light of the comity between the United States and Luxembourg; and upon the accompanying Application for the Issuance of Letters of Request (the “Application”), Irving H. Picard, Trustee, through his undersigned counsel, will present the proposed order (the “Order”), annexed hereto, to the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, for signature on March 5, 2018, at 12:00 PM.

PLEASE TAKE FURTHER NOTICE that an objection to the Application (“Objection”) shall (i) be in writing, (ii) include the ECF docket number to which the filing relates in the upper right hand corner of the caption, (iii) conform to the Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules and General Orders, (iv) specify the name of the objecting party and state with specificity the basis of the Objection(s) and specific grounds therefore, (v) be filed in accordance with the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York, with a proof of service, and a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein, One Bowling Green, New York, New York, 10004, (vi) be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: Oren J. Warshavsky, Esq.; and (b) the Securities Investor Protection Corporation, 1667 K Street, NW, Suite 1000, Washington, DC 20006-1620, Attn: Kevin H. Bell, Esq., so as to be received no later than **11:30 AM on February 28, 2018**.

¹ See Convention on the Taking of Evidence Abroad in Civil or Commercial Matters, Mar. 18, 1970, 23 U.S.T. 2555, 847 U.N.T.S. 231.

PLEASE TAKE FURTHER NOTICE that if an Objection is timely served and filed a hearing may be held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at a date to be scheduled by the Court, upon such additional notice as the Court may direct. The moving and objecting parties are required to attend the hearing, and failure to attend in person or by counsel may result in relief being granted or denied upon default.

PLEASE TAKE FURTHER NOTICE that, unless Objections are timely served and filed, the proposed Order may be signed without a hearing.

The Trustee makes this application in accordance with the Stipulation and Order Authorizing International Discovery entered on May 18, 2016, which authorizes the parties “to conduct document discovery in connection with the Actions under the Hague Convention or through any other internationally recognized means of obtaining cross-border discovery, including but not limited to, letters rogatory.” Stipulation and Order Authorizing International Disc., May 18, 2016, ECF No. 238.

Dated: New York, New York
February 21, 2018

Respectfully submitted,

/s/ Oren J. Warshavsky

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